

REMARKS

Claims 1-21 remain in the application and claims 1 and 21 have been amended hereby.

The specification has been amended as requested in the Office Action at paragraph 3.

The drawings have been amended as requested in the Office Action at paragraph 4. Replacement sheets for Figs. 2, 17, and 21 are attached as Exhibit A.

Reconsideration is respectfully requested of the rejection of claims 1-5, 7, 8, 12, 13, 15, and 19-21 under 35 USC 102(e), as being anticipated by Takenaka et al.

Features of the recording/reproducing apparatus (50 in Figs. 1 and 2) according to the present invention are a storage means (HDD 10 in Fig. 2) having a management area and a data area (Fig. 6), generating means for generating a predetermined value (a), transforming means for transforming the predetermined value based on a formula (f_1) which is unique to the recording/reproducing apparatus, and control means for controlling storage of the transformed predetermined value in the management area of the storage means. See Fig. 7 of the present application, for example.

Independent claims 1 and 21 have been amended to recite

these features of the present invention.

Advantages of the above-noted features of the present application are that when a user copies contents stored in a hard drive of an apparatus to another hard drive of another apparatus, reproduction is prevented because each apparatus has a unique formula even when the predetermined value is the same because of $f_1(a) \neq f_2(a)$. See page 43, line 8 to page 46, line 2 of the present application, for example.

Looking at Takenaka et al. we see that there is no transforming means for transforming the predetermined value based on a formula which is unique to the apparatus. Takenaka et al. is merely encrypting a key generated based on positional information. See Fig. 19 and col. 6, lines 3-7 of Takenaka et al.

In the copy protection system of Takenaka et al., the reason why copied data cannot be reproduced is that the address on which the data was copied is different from the address on which the data is stored in the original storage means. In this system, when the user copies the entire hard drive to another hard drive all addresses of data will be the same and the copy protection system will not be effective. Therefore, Takenaka et al.'s system offers a weaker copy

protection system than the one offered by the presently claimed invention.

Accordingly, it is respectfully submitted that amended independent claims 1 and 21, and the claims depending therefrom, are not anticipated by Takenaka et al.

Reconsideration is respectfully requested of the rejection of claims 6, 9, and 10 under 35 USC 103(a), as being unpatentable over Takenaka et al. in view of Koyata et al.

Claims 6, 9, and 10 depend from claim 1, which rejection under Takenaka et al. has been addressed above and, because there are no features in Koyata et al. that somehow could be combined with Takenaka et al. and result in the presently claimed invention, it is respectfully submitted that claims 6, 9, and 10 are patentably distinct over Takenaka et al. in view of Koyata et al.

Reconsideration is respectfully requested of the rejection of claims 14 and 16-18 under 35 USC 103(a), as being unpatentable over Takenaka et al. in view of Abe et al.

Claims 14 and 16-18 depend from claim 1, which rejection under Takenaka et al. has been addressed above and, because there are no features in Abe et al. that somehow could be combined with Takenaka et al. and result in the presently

7217/62641

claimed invention, it is respectfully submitted that claims 14 and 16-18 are patentably distinct over Takenaka et al. in view of Abe et al.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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A handwritten signature in dark ink, appearing to read "Jay H. Maioli". The signature is fluid and cursive, with the first name "Jay" and last name "Maioli" clearly distinguishable.

Jay H. Maioli
Reg. No. 27, 213

JHM/PCF:tb